

REMARKS

Status of claims

Claims 1-12, 14 and 17-20 are allowed. Claims 13, 15, 16 and 21-32 are rejected.

The Examiner has withdrawn his rejection under the judicially created doctrine of obviousness-type double patenting, in view of the submitted terminal disclaimer.

The Examiner has also withdrawn his rejection under 35 U.S.C. § 112, second paragraph, in view of the amendment to the claims.

Claims 13, 21, and 29 have been amended to exclude naphthol couplers based on, e.g., the disclosure on page 4 of a low coupling rate for a naphthol based coupler.

Claims 16 and 22 have been rewritten in independent form.

Claim 12 has been amended to cure a punctuation error.

Entry of the above amendments is respectfully requested.

Rejection under 35 U.S.C. § 102(b)

The Examiner now rejects claims 13, 15, 16, and claims 21-32 under 35 U.S.C. § 102(b) as allegedly being anticipated by Helvetia Chimica Acta 55.2139 (1972).

The Examiner's Position

The Examiner's position is that claims 13, 15, 16, and 21-32 are all anticipated by Helvetia Chimica Acta 55.2139 (1972). The Examiner cites to and relies upon Applicants' description of Helvetia, which is found on page 4 of the specification: "in Helvetia Chimica Acta 55. 2139 (1972), a coupling reaction between a naphthol based coupler having a leaving

group (halogen) at a coupling position and a p-chlorobenzene diazonium salt is reported”
(emphasis supplied).

Applicants’ Response

Claims 13, 21, and 29 have been amended to exclude couplers that are naphthols. Thus, claims 13, 21, and 29, as presently amended; claim 15, which depends from claim 13; claims 23-25, which depend from claim 21; and claims 30-32, which depend directly or indirectly from claim 29, distinguish over and cannot be anticipated by the cited prior art, which teaches a naphthol based coupler.

Applicants respectfully traverse the Examiner’s rejection of claims 16, 22, and 26-28 for the following reasons. Claims 16 and 22 recite diazo compounds represented by the general formulae (6), (7), and (8).

However, the Helvetia Chimica Acta reference discloses a coupling reaction between a benzene diazonium salt and a naphthol based coupler. The disclosed benzene diazonium salt does not fall within the scope of the claimed diazo compounds represented by the general formulae (6), (7), and (8). Therefore, the cited prior art cannot anticipate claims 16 and 22, nor claims 26-28, which depend from claim 22. Claims 16 and 22 have further been rewritten in independent form and are, therefore, now believed to be in condition for allowance.

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the

AMENDMENT UNDER 37 C.F.R. § 1.111
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Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

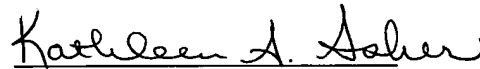
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